

from third party sources and voluntary company information rather than a required company survey such as EIA would conduct. As a result, commercial data can miss plans for an outage since some companies want and are able to keep their information private due to business sensitivities concerning certain outages. EIA needs to know about planned outages at least 3 or 4 months prior to their occurrence in order to assess any significant supply or price impacts and to provide information to the Secretary of Energy in a timely fashion. Missing a planned outage until shortly before it is scheduled to happen can lead to erroneous conclusions about its impacts in the larger context of the petroleum market.

Second, commercially available outage data does not include estimates of the production impacts of planned outages, only whether a unit will be offline. Production changes resulting from unit outages are needed to evaluate impacts on petroleum product prices. Currently EIA estimates production impacts using both the commercial unit outage information and historical EIA refinery data. As noted in the December 2008 **Federal Register** notice, any refinery estimates of planned unit outage impacts on production provided to EIA would not be precise.

The EIA December 2008 **Federal Register** notice also indicated that the Department of Energy's Office of Electricity Delivery and Energy Reliability (OE) was intending to collect unplanned outage information on a real-time basis in order to monitor ongoing issues as part of its role in monitoring potential supply disruptions and emergencies. This survey proposal has been withdrawn due to a change in OE's policy and operations. The proposal would not have served the purpose of collecting information on planned outages.

## II. Current Actions

EIA has determined that it should pursue the collection of data monthly on planned and unplanned refinery outages and on estimates of associated production losses. Because of the complexity of this collection, EIA will work with industry to determine how best to collect the information needed and what the potential costs will be. Parties interested in participating in these discussions should contact Joanne Shore ([joanne.shore@eia.doe.gov](mailto:joanne.shore@eia.doe.gov)). EIA plans on issuing a **Federal Register** notice in 2010 with a proposed survey form, providing another opportunity for comments. EIA will then request approval from the Office of Management

and Budget (OMB). The intent is to begin collection in 2011.

EIA will continue to use commercial data. Commercial data provide a historical context for analyzing outages and can assist in data validation. Eventually, the EIA data collection will generate a historical series, but adequate time series for analysis will not be available for some time. In addition, commercial data are updated daily and can provide alerts for rapidly evolving events in between EIA data collections.

A survey proposal would fall under the Federal Energy Administration Act of 1974 (Pub. L. 93-275, 15 U.S.C. 761 *et seq.*) and the DOE Organization Act (Pub. L. 95-91, 42 U.S.C. 7101 *et seq.*), which require the EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, analyzes, and disseminates information on energy resource reserves, production, demand, prices, technology, and related economic and statistical information. This information is used to assess the adequacy of energy resources to meet near and longer term domestic demands, and to promote sound policymaking, efficient markets, and public understanding of energy and its interaction with the economy and the environment.

The EIA, as part of its effort to comply with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35), provides the general public and other Federal agencies with opportunities to comment on collections of energy information conducted by or in conjunction with the EIA. Any comments received following a survey proposal help the EIA to prepare data requests that maximize the utility of the information collected, and to assess the impact of collection requirements on the public.

After assembling public response to a **Federal Register** notice announcing specific survey information to be collected, including the proposed survey form, EIA will seek approval for this collection from the Office of Management and Budget (OMB) under Section 3507(a) of the Paperwork Reduction Act of 1995.

Issued in Washington, DC, December 24, 2009.

**Howard Gruenspecht,**

*Deputy Administrator, Energy Information Administration.*

[FR Doc. E9-31033 Filed 12-30-09; 8:45 am]

**BILLING CODE 6450-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9086-6; Docket ID No. EPA-HQ-ORD-2009-0855]

### An Assessment of Decision-Making Processes: The Feasibility of Incorporating Climate Change Information Into Land Protection Planning

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Public Comment Period.

**SUMMARY:** EPA is announcing a 30-day public comment period for the draft document titled, "An Assessment of Decision-Making Processes: The Feasibility of Incorporating Climate Change Information Into Land Protection Planning" (EPA/600/R-09/142a). The document was prepared by the National Center for Environmental Assessment within EPA's Office of Research and Development. This draft document is a review of decision-making processes of selected land protection programs. The goal of this document is to assess the feasibility of incorporating climate change impacts information into the evaluation of these programs. The assessment revealed that there are several strategies that might be useful for incorporating climate change information into decision making. As part of a portfolio of adaptation strategies, land protection may become more important for jurisdictions, particularly to ameliorate climate change impacts on watersheds and wildlife.

The public comment period and the external peer review, which will occur after the public comment period, are separate processes that provide opportunities for all interested parties to comment on the document. EPA intends to forward the public comments that are submitted in accordance with this notice to the external peer reviewer panel prior to the meeting for their consideration. When finalizing the draft document, EPA intends to consider any public comments that EPA receives in accordance with this notice.

EPA is releasing this draft document solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by EPA. It does not represent and should not be construed to represent any Agency policy or determination.

**DATES:** The 30-day public comment period begins December 31, 2009, and ends February 1, 2010. Technical

comments should be in writing and must be received by EPA by February 1, 2010.

**ADDRESSES:** The draft "An Assessment of Decision-Making Processes: The Feasibility of Incorporating Climate Change Information into Land Protection Planning" is available primarily via the Internet on the National Center for Environmental Assessment's home page under the Recent Additions and the Publications menus at <http://www.epa.gov/ncea>. A limited number of paper copies are available from the Information Management Team, NCEA; telephone: 703-347-8561; facsimile: 703-347-8691. If you are requesting a paper copy, please provide your name, your mailing address, and the document title, "An Assessment of Decision-Making Processes: The Feasibility of Incorporating Climate Change Information into Land Protection Planning".

Comments may be submitted electronically via <http://www.regulations.gov>, by mail, by facsimile, or by hand delivery/courier. Please follow the detailed instructions provided in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** For information on the public comment period, contact the Office of Environmental Information Docket; telephone: 202-566-1752; facsimile: 202-566-1753; or e-mail: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).

For technical information, contact Britta Bierwagen, NCEA; telephone: 703-347-8613; facsimile: 703-347-8694; or e-mail: [bierwagen.britta@epa.gov](mailto:bierwagen.britta@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Information About the Project/ Document**

The document, "An Assessment of Decision-Making Processes: The Feasibility of Incorporating Climate Change Information into Land Protection Planning" describes a review of the decision-making processes of selected programs that protect land to assess the feasibility of incorporating climate-change impacts information into the evaluation of land protection programs. The review focused on a sample of programs with goals to protect wildlife and watersheds. Most programs reviewed use quantitative evaluation criteria and a bottom-up process for selecting parcels. Almost all programs have one or more advisory committees. The assessment revealed that strategies that might be useful for incorporating climate-change information into

decision making include new decision-support tools for advisory committees, promulgation of different land protection models (e.g., purchase as opposed to transfer of development rights), and educational outreach for elected officials.

Because land protection decisions are long-term, hard to reverse, and resource intensive, these decisions are important to consider in the context of climate change. Climate change may directly affect the services intended for protection and parcel selection can exacerbate or ameliorate certain impacts. Therefore, when considering long-term acquisition strategies, land protection programs should be considering both the mitigation potential of land through carbon sequestration and the adaptation potential of the land for preserving wildlife migration routes, protecting water resources, and buffering infrastructure and development from storm events. As jurisdictions learn more about possible climate change impacts, certain land protection strategies may become more desirable and feasible as part of a portfolio of adaptation strategies that ameliorate impacts on watersheds and wildlife.

##### **II. How To Submit Technical Comments to the Docket at <http://www.regulations.gov>**

Submit your comments, identified by Docket ID No. EPA-HQ-ORD 2009-0855, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
- E-mail: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).
- Fax: 202-566-1753.
- Mail: Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. The phone number is 202-566-1752.

• **Hand Delivery:** The OEI Docket is located in the EPA Headquarters Docket Center, Room 3334 EPA West Building, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center's Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is 202-566-1744. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

If you provide comments by mail or hand delivery, please submit three copies of the comments. For attachments, provide an index, number

pages consecutively with the comments, and submit an unbound original and three copies.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-ORD-2009-0855. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <http://www.regulations.gov>, including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters or any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**Docket:** Documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other materials, such as copyrighted material, are publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the OEI Docket in the EPA Headquarters Docket Center.

Dated: November 19, 2009.

**Rebecca Clark,**

*Acting Director, National Center for  
Environmental Assessment.*

[FR Doc. E9-31100 Filed 12-30-09; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9099-4]

### Cross-Media Electronic Reporting Rule State Approved Program Revision Approval: State of IL

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval, under regulations for Cross-Media Electronic Reporting, of the State of Illinois' request to revise its EPA-authorized program to allow electronic reporting; and also provides notice of an opportunity to request a public hearing on this action.

**DATES:** EPA's approval is effective on February 1, 2010 if no timely request for a public hearing is received and accepted by the Agency.

**FOR FURTHER INFORMATION CONTACT:** Evi Huffer, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566-1697, [huffer.evi@epa.gov](mailto:huffer.evi@epa.gov), or David Schwarz, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566-1704, [schwarz.david@epa.gov](mailto:schwarz.david@epa.gov).

**SUPPLEMENTARY INFORMATION:** On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified as Part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Under Subpart D of CROMERR, state, Tribe or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and get EPA approval. Subpart D also provides standards for such approvals based on consideration of the electronic document receiving systems that the State, Tribe, or local

government will use to implement the electronic reporting. Additionally, in § 3.1000(b) through (e) of 40 CFR Part 3, Subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the State, Tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the Subpart D procedures must show that the State, Tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable Subpart D requirements.

On July 15, 2009, the State of Illinois Environmental Protection Agency (EPA) submitted an application for its Safe Drinking Water Information System (SDWIS)/Lab to State electronic document receiving system, for revision of its 40 CFR Part 142—National Primary Drinking Water Regulations Implementation EPA-authorized program for electronic reporting of drinking water data submitted under 40 CFR part 141. EPA reviewed ILEPA's request to revise its EPA-authorized program and, based on this review, EPA determined that the application met the standards for approval of authorized program revisions set out in 40 CFR Part 3, Subpart D, for electronic reporting of drinking water data that does not require signature or include an electronic signature. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve Illinois' request to revise its Part 142—National Primary Drinking Water Regulations Implementation authorized program, to allow electronic reporting of drinking water data that does not require signature or include an electronic signature, is being published in the **Federal Register**.

ILEPA was notified of EPA's determination to approve its application with respect to the authorized program listed above.

Also, in today's notice, EPA is informing interested persons that they may request a public hearing on EPA's action to approve the State of Illinois' request to revise their authorized public water system program under 40 CFR part 142, in accordance with 40 CFR 3.1000(f). Requests for a hearing must be submitted to EPA within 30 days of publication of today's **Federal Register** notice. Such requests should include the following information:

(1) The name, address and telephone number of the individual, organization or other entity requesting a hearing;

(2) A brief statement of the requesting person's interest in EPA's determination, a brief explanation as to why EPA should hold a hearing, and any other information that the requesting person wants EPA to consider when determining whether to grant the request;

(3) The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

In the event a hearing is requested and granted, EPA will provide notice of the hearing in the **Federal Register** not less than 15 days prior to the scheduled hearing date. Frivolous or insubstantial requests for hearing may be denied by EPA. Following such a public hearing, EPA will review the record of the hearing and issue an order either affirming today's determination or rescinding such determination. If no timely request for a hearing is received and granted, this action will become effective 30 days after today's notice is published, pursuant to CROMERR section 3.1000(f)(4).

Dated: December 22, 2009.

**Lisa Schlosser,**

*Director, Office of Information Collection.*

[FR Doc. E9-31105 Filed 12-30-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8986-9]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7146 or <http://www.epa.gov/compliance/nepa/>.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated July 17, 2009 (74 FR 34754).

#### Notice

In accordance with Section 309(a) of the Clean Air Act, EPA is required to make its comments on EISs issued by other Federal agencies public. Historically, EPA has met this mandate by publishing weekly notices of availability of EPA comments, which